

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(DID-101)

Inventor:	David R. DIDUCH et al.	Examiner:	Jing Rui OU
Serial No.:	10/084,283	Confirmation No.	7097
Filed:	January 26, 2002	Group Art Unit:	3773
Title:	SUTURE PASSING DEVICES		

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

In reply to the Interview Summary mailed January 12, 2009, in which a ONE (1) month shortened period for reply is February 12, 2009, please consider the below statement of the substance of the interview.

Applicant's representative extends his sincere gratitude to Examiner Ou and Supervisor Ho for graciously agreeing to an interview at the USPTO on January 7, 2009. During such interview, Applicant's representative presented a description of the invention, particularly pointing out some of the many advantages of the elected exemplary embodiment of the present invention. Then the cited art of record was discussed, and how the present invention is distinguishable over the cited art of record. For example, none of the cited art of record, alone or in combination, disclose or fairly suggest a device or method which includes suture passing member with a puncturing projection which is slidable along the lumen of a body and extends beyond one of the jaws. Applicant's unique geometry and design have advantages that were not

appreciated or inherent in the device of the references cited. Examiners agreed that an amendment to the claims reflecting such property would likely overcome any of the cited art of record, notwithstanding a further required search. An amendment will be forthcoming that more clearly reflects the substance of the discussions held at the examiner interview.

If any fees are associated with the entering and consideration of this preliminary amendment, please charge such fees to our Deposit Account 50-2882.

Respectfully submitted,

Date: February 12, 2009

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